

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or)	
)	CONSENT ORDER OF
Revocation of the Educator Certificate of)	
)	SUSPENSION
Fellie Sweat)	
)	
Certificate 112528)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 14, 2005. On May 27, 2005, the South Carolina Department of Education (Department) sent Fellie Sweat, Jr. a notice of his right to a hearing before the State Board concerning the possible revocation of his South Carolina educator certificate 112528 by certified mail, return receipt, restricted delivery, and regular mail. Mr. Sweat received the notice as evidenced by a postal receipt bearing his signature. Mr. Sweat subsequently agreed to waive his right to a hearing and to accept the voluntary suspension of his certificate for a period that would commence retroactively on February 22, 2005, and end on June 30, 2006. After considering the evidence presented, the State Board voted to order the suspension of Mr. Sweat's certificate for the agreed upon period.

Fellie
Sweat, Jr.
112528

Initial Here

Date

FINDINGS OF FACT

Mr. Sweat holds a South Carolina certificate with over twenty-six years of experience. Mr. Sweat held a 2004-05 contract with Colleton County School District (District) and was assigned to the alternative school, Colleton Annex Learning Center. The District suspended Mr. Sweat's employment on November 9, 2004, following allegations that he made inappropriate comments of a sexual nature to students and staff members. Following a suspension hearing the District Board of Trustees voted to uphold the suspension. Thereafter, on

March 15, 2005, the District Board of Trustees voted to terminate Mr. Sweat's employment.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. §59-25-150 (2004), S.C. Code Ann. §59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58. Just cause includes unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the information presented supports its determination that just cause exists to suspend Mr. Sweat's certificate 112528, commencing retroactively on February 22, 2005, through June 30, 2006. If Mr. Sweat wishes to have his certificate reinstated at the end of the suspension period, Mr. Sweat may make a written request to the Office of Educator Certification of the Department, and must submit to a character and fitness review by the State Board of Education.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester

Chair

Columbia, South Carolina

December 14, 2005

I, Fellie Sweat, Jr., SC Educator Certificate 112528, do hereby agree to the proposed Consent Order of Suspension, consisting of two pages, and understand that this Order will be presented to the State Board of Education for approval on December 14, 2005.

/S. Fellie Sweat, Jr.
Fellie Sweat, Jr.

11/29/05
Date